

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-497-E - ORDER NO. 92-178 ✓
MARCH 11, 1992

IN RE: Anna M. Mulcahey,)	
)	
Complainant,)	
)	
vs.)	ORDER
)	
South Carolina Electric &)	
Gas Company,)	
)	
Respondent.)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Complaint of Anna M. Mulcahey (Mulcahey) against South Carolina Electric & Gas Company (SCE&G). This Complaint was filed with the Commission on about August 15, 1991, and alleges that SCE&G improperly billed the Complainant \$965.69 for electric service. The complaint goes on to request a formal hearing before the Commission. SCE&G replied to the Complaint alleging that the customer had engaged in energy diversion.

After discovery, a hearing was held on the matter on February 13, 1992, at 10:30 a.m. before the Commission at the Commission's Hearing Room at 111 Doctor's Circle, Columbia, South Carolina.

Commissioner Henry Yonce presided. Anna M. Mulcahey testified on her own behalf and represented herself. SCE&G presented the testimony of Charles O. Shealy; SCE&G was represented by Randy Mahan, Esquire; the Commission Staff was represented by F. David Butler. The Staff presented no witnesses.

Mulcahey testified that she did not feel that she owed the \$965.69 as alleged by the Company. She denied any meter tampering by herself or anyone in her household. SCE&G witness Charles O. Shealy testified as to his investigation of the facts in the case and stated that Company personnel at one time had found a meter placed upside down in its base. Shealy testified, however, that he did not observe this, but observed the meter properly placed in its base with the gray seal cut.

SCE&G contends that the Complainant was undercharged due to meter tampering for at least a nine month period. The Commission has looked at this evidence and cannot say with certainty first that the customer was undercharged for a nine-month period or that the undercharge was due to meter tampering. Regulation 103-340(6)(d) relates to what to do when a customer is undercharged due to machine error. This section provides as follows:

If the usage and/or demand incurred by that person during the billing period subject to adjustment cannot be determined, then the adjustment shall be based on appropriate estimated usage and/or demand.

The Commission believes that this Regulation applies to the case at bar and holds that the Complainant was undercharged in the amount of \$477.51 for a six-month period, which includes an adjustment for

air conditioner and freezer usage. (See Regulation 103-340(6)(b).) The Commission believes that the customer should pay this amount to the Company. Under R.103-340(6)(c), the customer shall be allowed to pay the deficient amount in equal installments added to their regular monthly bills over the same number of billing periods which occurred during the interval the customer was subject to pay the deficient amount. Therefore, the Commission holds that the customer shall be allowed to pay back the \$477.51 in equal installments over a six-month period which shall be added to the regular monthly bills.

IT IS THEREFORE ORDERED THAT:

1. Due to a machine error, the Complainant was undercharged \$477.51 for a six-month period, which the customer owes to the Respondent, SCE&G.

2. The Complainant and/or customer shall pay the sum of \$477.51 to SCE&G in equal installments over a six-month period, each installment to be added to the regular monthly bill for that month.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)